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SUBJECT: QATAR: INPUT FOR THE EIGHTH ANNUAL TRAFFICKING IN  
PERSONS (TIP) REPORT - PART I OF II

REF: STATE 2731

11. (SBU) Subsequent to the demotion of Qatar to Tier-3 status last year, information and statistics from Qatari Government and quasi-government stakeholders have been more difficult to obtain. All government stakeholders, including the National TIP Coordinator and the TIP shelter, have been instructed that all requests for information and meetings with the U.S. Embassy must come through and be cleared by the Ministry of Foreign Affairs Human Rights Office. To date, Post has not received government-supplied law enforcement or victim assistance information. We will forward if and when received.

12. (U) The following is Post's input for the eight annual Trafficking in Persons (TIP) Report. Answers are keyed to reftel questions.

13. (SBU) Paragraph 27. OVERVIEW OF A COUNTRY'S ACTIVITIES TO ELIMINATE TRAFFICKING IN PERSONS:

1A. (SBU) Is the country a country of origin, transit, and/or destination for internationally trafficked men, women, or children?

- Qatar is a country of destination and transit for internationally trafficked men and women.

Provide, where possible, numbers or estimates for each group; how they were trafficked, to where, and for what purpose.

- There are no firm estimates of the total numbers of men and women trafficked into the country; most came willingly to work as laborers and domestic workers.

Does the trafficking occur within the country's borders?

- Yes, and in some cases, across borders.

Does it occur in territory outside of the government's control (e.g. in a civil war situation)?

- N/A

Are any estimates or reliable numbers available as to the extent or magnitude of the problem?

- 1000s

What is (are) the source(s) of available information on trafficking in persons or what plans are in place (if any) to undertake documentation of trafficking?

- Sources of information on trafficking in persons include other diplomatic missions, government officials, commercial contacts, international organizations, local and regional media, expatriate community support groups, and contacts at quasi-independent NGOs.

How reliable are the numbers and these sources?

- While the reliability of sources cannot always be ascertained, cross-referencing information among various sources helps to promote accuracy in information gathering.

Are certain groups of persons more at risk of being trafficked (e.g. women and children, boys versus girls, certain ethnic groups, refugees, etc.)?

- Foreign laborers, mostly male, and domestic workers, male

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and female, are most at risk of being trafficked. Men and women from India, Pakistan, Bangladesh, Nepal, the Philippines, Indonesia, Vietnam, Sri Lanka, Ethiopia, Sudan, Thailand, Egypt, Syria, Jordan and the P.R.C. voluntarily travel to Qatar as laborers and domestic servants, but some subsequently face conditions of involuntary servitude.

1B. (SBU) Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g. changes in direction)

- Since the last TIP Report, there has been little tangible progress in government efforts at addressing trafficking in persons. The government has acknowledged that trafficking within the expatriate labor sector is a problem and has drafted legislation to combat it. A comprehensive anti-trafficking law, when enacted, would address prosecution, protection, prevention, and compensation. A new sponsorship law that is currently being circulated within the government would purportedly give more rights to expatriate workers and more responsibility to sponsors. The National Human Rights Committee (a quasi-governmental organization) has concluded that the largest hindrance to criminalizing TIP violations is ignorance of the current law by all parties. To combat this, the committee has organized a series of workshops for lawyers, judges, prosecutors, and law educators that will highlight TIP and the existing Qatari laws to combat it. The workshops began in March 2007. It hopes as an outcome to enable victims to bring criminal charges against the traffickers and to have the criminal court be able to fairly adjudicate those cases according to the criminal law. Current legislation guiding the sponsorship of expatriate laborers and domestic workers has created conditions that in many cases lead to situations constituting forced labor or slavery. Expatriate laborers are not allowed to leave the country without a signed exit permit or to change employment without a written release from their sponsor. The sponsors commonly withhold the passports of the workers. The dependence of foreign laborers on their employer for residency rights, plus the inability to change employment or travel, leaves them vulnerable to abuse. Some sponsors have used this power against their workers. They

have withheld their consent to force foreign employees to work for longer periods to avoid having to pay a salary owed to the worker and to extract money from the laborer. Many workers end up in Qatar's Deportation Detention Center due to their employer's refusing to pay back wages, withholding their passports, or failing to renew their residence permits.

Nepalese officials reported that as many as 1000 Nepalese workers have been held at the same time at the Deportation Detention Center during the year and many have been awaiting repatriation for several months. Law enforcement officials apprehended many of the workers because they had expired residence permits that are supposed to be renewed by the sponsor. The country also was a destination for women from East Asia, South Asia, and Africa who come to the country to work as domestic servants. Women and girls also traveled to the country to work as domestic servants, where they were vulnerable to domestic servitude and physical and sexual exploitation and unprotected by labor legislation. The Indian Embassy reported that 236 maids had been forced into these conditions. During the year the embassies of India, Nepal, and Sri Lanka received a combined total of more than 15,000 complaints from male and female workers alleging mistreatment by their employers. The Nepalese Embassy reported that they received 10 to 11 complaints per day, and the Sri Lankan Embassy received between 50 and 60 per day. Complaints included sexual harassment, delayed and nonpayment of salaries, forced labor, contract switching, holding of

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passports, poor accommodation, nonrepatriation, physical torture or torment, overwork, imprisonment, and maltreatment.

Abused domestic servants usually did not press charges for fear of losing their jobs. According to Indonesian officials, 30 to 50 Indonesian housemaids ran away from their sponsors each month during the year. The Nepalese Embassy reported that more than 20 of their residents had been recruited for positions as domestic workers in Qatar and after arrival, were trafficked into Saudi Arabia to serve as farm laborers. The Indian Embassy reported that at least 28 of their residents had likewise been trafficking into Saudi Arabia from Qatar. Some of the workers were held incommunicado in Saudi Arabia for periods of more than one year, and at least two were abandoned and died. Regarding the former child camel jockey problem, an interagency committee was formed by the government to ensure the implementation of the law banning the use of children as camel jockeys. The committee conducted several visits to the camel racing tracks during the reporting period and found no violations.

What kind of conditions are the victims trafficked into?

- Horrendous living conditions.

Which populations are targeted by the traffickers?

- Primarily South- and East-Asian domestic workers and laborers in countries with generally high unemployment rates and low standards of living.

Who are the traffickers/exploiters? Are they independent business people?

- Exporting and domestic recruiting agencies and Qatari sponsors. Some are independent business people.

Small or family-based crime groups?

- Not known.

Large international organized crime syndicates?

- Not known.

What methods are used to approach victims? (Are they offered lucrative jobs, sold by their families, approached by friends

of friends, etc.?)

- Victims are often offered fair wages and benefits for work in Qatar by source country recruiting agencies.

What methods are used to move the victims (e.g., are false documents being used?).

- Most often victims arrive willingly with valid travel documents.

Are employment, travel, and tourism agencies or marriage brokers involved with or fronting for traffickers or crime groups to traffic individuals?

- There is no information to indicate that these organizations are fronts for other trafficking groups.

1C. (SBU) Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

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- Officials from the Ministry of Foreign Affairs, Ministry of Interior, Ministry of Labor and Social Affairs (Labor Department), Supreme Judicial Council, General Health Authority, General Prosecution, National Human Rights Committee, the Qatar Foundation for Women and Children Protection and the Supreme Council for Family Affairs are all involved in anti-trafficking efforts. As of February 2007, the Supreme Council for Family Affairs has the lead in anti-trafficking efforts.

1D. (SBU) What are the limitations on the government's ability to address this problem in practice?

- There are cultural and socio-economic limitations in addressing this problem in practice.

Is overall corruption a problem?

- Overall corruption is not a problem in this area.

For example, is funding for police or other institutions inadequate?

- Funding is not a problem.

Does the government lack the resources to aid victims?

- No, but employment of resources is a problem.

1E. (SBU) To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts - prosecution, victim protection, and prevention) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

- Although the government has identified various agencies to implement anti-trafficking reforms, it does not effectively monitor its anti-trafficking efforts. When requested, the government does make available its assessments of its anti-trafficking efforts to the requesting organization.

14. (SBU) Paragraph 28. INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

1A. (SBU) Does the country have a law specifically prohibiting trafficking in persons -- both for sexual and non-sexual purposes (e.g. forced labor)? If so, please specifically cite the name of the law and its date of enactment and provide the exact language of the law prohibiting TIP and all other law(s) used to prosecute TIP cases.

- Qatar does not have a law specifically prohibiting all forms of trafficking in persons. The Government of Qatar has drafted, but not enacted, amendments to its sponsorship regulations intended to protect the rights of foreign workers. The Qatari government has also drafted an anti-trafficking law that is being circulated to relevant agencies for comment. It is unclear when the laws will be enacted. The director of the Supreme Council for Family Affairs also noted that a new law specifically addressing domestic workers is also being drafted; however, domestic workers remain unprotected by general labor laws.

If so, please specifically cite the name of the law and its date of enactment and provide the exact language of the law prohibiting TIP and all other law(s) used to prosecute TIP cases.

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- On July 28, 2005, Law No. 22, banning the transport, employment, training, and involvement of children under the age of eighteen in camel races, came into force. According to Article 4, anyone who violates the law faces three to ten years' imprisonment and a fine ranging between \$13,000 and \$55,000.

Does the law(s) cover both internal and external (transnational) forms of trafficking?

- Unknown.

If not, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of force, fraud or coercion?

- Traffickers can be prosecuted under Article 321 (slavery) or Article 322 (forced labor) of the Criminal Law of 2004, which bans forced or coerced labor. The penalty for Article 321 is imprisonment of no more than seven years and the penalty for Article 322 is imprisonment of no more than six months and/or a fine of no more than QR 3,000 (USD 825). If the victim is under 16, the penalty is imprisonment of no more than six years and/or a fine of no more than QR 10,000 (USD 2,750). Also, Articles 318-319 of the Criminal Law address crimes that violate human liberty and sanctity (kidnapping). Specifically, Article 318 prohibits the abduction, seizure or deprivation of an individual's liberty. The penalty for crimes that violate human liberty and sanctity is imprisonment of not more than ten years. In 2002, the government also passed a money laundering law (Article 2) that specifically defines as a money laundering crime the handling of money related to trafficking of women and children. Although the new labor law enacted in January 2005 expands some worker rights, the new law does not extend to domestic workers.

Are these other laws being used in trafficking cases?

- These laws are not being used to prosecute trafficking cases.

Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes, (e.g., civil forfeiture laws and laws against illegal debt).

- There are no specific trafficking laws. The labor law (which does not apply to domestic workers) allows the alleged victim to bring his case to the labor court (a civil court) to attempt to retrieve actual losses (dues owed), but there are not additional remedies available (i.e., restitution).

11B. (SBU) What are the prescribed penalties for trafficking people for sexual exploitation?

- Pimping is punishable by imprisonment of not more than ten years.

What penalties were imposed for persons convicted of sexual exploitation over the reporting period?

- Unknown; statistics not provided.

Please note the number of convicted sex traffickers who received suspended sentences and the number who received only a fine as punishment.

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- Unknown; statistics not provided.

1C. (SBU) Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor and involuntary servitude?

- There are no specific trafficking laws addressing forced or bonded labor. Abduction for the purpose of forced labor is punishable by imprisonment of not more than seven years. Forced labor is punishable by imprisonment of not more than six months and a fine not to exceed \$825, or both.

Do the government's laws provide for criminal punishment, i.e. jail time, for labor recruiters in labor source countries who engage in recruitment of laborers using knowingly fraudulent or deceptive offers that result in workers being trafficked in the destination country?

- N/A

Are there laws in destination countries punishing employers or labor agents in labor destination countries who confiscate workers' passports or travel documents, switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service?

- There is currently no prohibition on the confiscation of worker's passports or travel documents; however, the proposed amendments to the existing Sponsorship Law will purportedly make the practice illegal. Withholding payment may be punishable by imprisonment of no more than six months and/or a fine of no more than QR 3,000 (USD 825). If the victim is under 16 years of age, the punishment is imprisonment of no more than six years and/or a fine of QR 10,000 (USD 2,750).

If law(s) prescribe criminal punishments for these offenses, what are the actual punishments imposed on persons convicted of these offenses? Please note the number of convicted labor traffickers who received suspended sentences and the number who received only a fine as punishment.

- These provisions have not been used.

1D. (SBU) What are the prescribed penalties for rape or forcible sexual assault?

- The penalty for rape or forcible sexual assault is imprisonment. The penalty for sexual exploitation is imprisonment and carries with it a minimum sentence of five years and a maximum of fifteen years. Cases involving children carry an automatic fifteen-year sentence.

How do they compare to the prescribed penalties for crimes of trafficking for commercial sexual exploitation?

- There are no trafficking laws addressing commercial sexual exploitation.

1E. (SBU) Is prostitution legalized or decriminalized?

- No.

Specifically, are the activities of the prostitute criminalized?

- Yes, but women suspected of prostitution are often summarily deported rather than prosecuted under the law.

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Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized?

- Yes, but those suspected of facilitation are often summarily deported rather than prosecuted under the law.

Are these laws enforced?

- Rarely.

If prostitution is legal and regulated, what is the legal minimum age for this activity? Note that in many countries with federalist systems, prostitution laws may be under state or local jurisdiction and may differ among jurisdictions.

- N/A.

1F. (SBU) Has the government prosecuted any cases against human trafficking offenders?

- Not specifically.

If so, provide numbers of investigations, prosecutions, convictions, and sentences served, including details on plea bargains and fines, if relevant and available.

- Unknown; statistics not provided.

Please indicate which laws were used to investigate, prosecute, convict, and sentence traffickers.

- Criminal laws are not used to investigate, prosecute, convict, or sentence traffickers.

Also, if possible, please disaggregate by type of TIP (labor vs. commercial sexual exploitation) and victims (children, as defined by U.S. and international law as under 18 years of age, vs. adults).

- N/A.

Does the government in a labor source country criminally prosecute labor recruiters who recruit laborers using knowingly fraudulent or deceptive offers or impose on recruited laborers inappropriately high or illegal fees or commissions that create a debt bondage condition for the laborer?

- Qatar is not a labor source country.

Does the government in a labor destination country criminally prosecute employers or labor agents who confiscate workers' passports/travel documents, switch contracts or terms of employment without the worker's consent, use physical or sexual abuse or the threat of such abuse to keep workers in a state of service, or withhold payment of salaries as a means to keep workers in a state of service?

- No. There is currently no prohibition on the confiscation of workers' passports or travel documents; however, the proposed amendments to the existing Sponsorship Law will purportedly make the practice illegal. Employers who switch contracts or terms of employment without the worker's consent, or withhold payment of salaries are sometimes summoned to the labor court and the cases are treated as civil cases between employers and employees. Laborers and



domestic workers are often detained for months at the Deportation Detention Center awaiting the outcome of their

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cases against their employers.

Are the traffickers serving the time sentenced?

- Traffickers are not criminally prosecuted. The two Qataris that were sentenced to five-year prison terms for physical abuse of their maid were released upon payment of blood money to the maid's family. The maid subsequently died after being returned to Indonesia.

If not, why not? Please indicate whether the government can provide this information, and if not, why not?

- Traffickers are not criminally prosecuted. The government does not identify trafficking crimes as trafficking.

1G. (SBU) Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

- Yes. TIP training has been incorporated into basic and continuing training at the police academy. The TIP Office, with assistance from the NHRC, also organized a series of training courses and workshops for government and private officials, including officials from the Ministry of Interior and the Attorney General's Office, dealing with labor and domestic helpers' affairs to educate them on the rights of laborers and the obligations of employers. It included police officers training on various methods of dealing with TIP victims.

Specify whether NGOs, international organizations, and/or the USG provide specialized training for host government officials.

- The USDOJ has provided a host government funded proposal to the GOQ to provide specialized training on TIP.

1H. (SBU) Does the government cooperate with other governments in the investigation and prosecution of trafficking cases?

- The government is not known to cooperate with other governments in the investigation and prosecution of trafficking cases. However, it coordinated with the Embassy of Sudan in the repatriation of the young Sudanese boys employed as camel jockeys. Also, the government shares information with other countries in the region on patterns involving prostitution. It works with labor attaches from South Asian countries to resolve cases of labor contract disputes, abuse of domestic servants, and workers present in Qatar without authorization.

If possible, can post provide the number of cooperative international investigations on trafficking during the reporting period?

- Unknown; statistics not provided.

1I. (SBU) Does the government extradite persons who are charged with trafficking in other countries?

- According to the NHRC, the law does not permit the extradition of convicted Qatari citizens to any other foreign country.

If so, can post provide the number of traffickers extradited during the reporting period?

- Unknown; statistics not provided.

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Does the government extradite its own nationals charged with such offenses?

- There are no known cases.

If not, is the government prohibited by law from extraditing its own nationals?

- According to the NHRC, yes.

If so, what is the government doing to modify its laws to permit the extradition of its own nationals?

- Unknown.

1J. (SBU) Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level? If so, please explain in detail.

- Some government tolerance of trafficking is demonstrated in the enactment of legislation such as the Sponsorship Law, which is authored by government officials and which creates and facilitates TIP situations. For example, the Sponsorship Law engenders situations of bondage and servitude by prohibiting workers from leaving the country or changing employment without the permission of their current sponsor. Finally, the lack of enforcement of existing criminal statutes and labor laws could be construed as official toleration of TIP activities.

1K. (SBU) If government officials are involved in trafficking, what steps has the government taken to end such participation?

- No known specific cases.

Please indicate the number of government officials investigated and prosecuted for involvement in trafficking or trafficking-related corruption during the reporting period.

- No known specific cases.

Have any been convicted?

- No known specific cases.

What sentence(s) was imposed?

- No known specific cases.

Please specify if officials received suspended sentences, were given a fine, fired, or reassigned to another position within the government as punishment.

- No known specific cases.

Please provide specific numbers, if available.

- No known specific cases.

Please indicate the number of convicted officials that received suspended sentences or received only a fine as punishment.

- No known specific cases.

1L. (SBU) As part of the new requirements of the 2005 TVPRA, for countries that contribute troops to international

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peacekeeping efforts, please indicate whether the government vigorously investigated, prosecuted, convicted and sentenced nationals of the country deployed abroad as part of a peacekeeping or other similar mission who engage in or

facilitate severe forms of trafficking or who exploit victims of such trafficking.

- As part of UNIFIL, Qatari troops have not been identified as engaging in trafficking.

1M. (SBU) If the country has an identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or deported/extradited to their country of origin?

- There is no identified child sex tourism problem.

What are the countries of origin for sex tourists?

- N/A.

Do the country's child sexual abuse laws have extraterritorial coverage (similar to the U.S. PROTECT Act)?

- Article 7 of the Qatari Penal Code includes explicit provisions endorsing the principles of territoriality and extraterritorial jurisdiction over offences committed by Qatari national or if the deceased is a Qatari.

If so, how many of the country's nationals have been prosecuted and/or convicted under the extraterritorial provision(s) for traveling to other countries to engage in child sex tourism?

- Unknown; statistics not provided.

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